

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KELTON DAVIS, WILLIAM TURNER,
EDWIN LARREGUI, ROMAN
JACKSON, KRISTIN JOHNSON,
ELEANOR BRITT, ANTHONY
ANDERSON, LASHAUN SMITH,
SHAWNE JONES, HECTOR SUAREZ,
ADAM COOPER, ANDREW
WASHINGTON, P.L. by his parent LISA
PIGGOTT, DAVID WILSON, and
GENEVA WILSON, individually and on
behalf of a class of all others similarly
situated;

Plaintiffs,

-against-

THE CITY OF NEW YORK and NEW
YORK CITY HOUSING AUTHORITY;

Defendants.

10 Civ. 699 (SAS)

DECLARATION OF JOHANNA B. STEINBERG

JOHANNA B. STEINBERG declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am assistant counsel at the NAACP Legal Defense and Educational Fund, Inc., counsel for Plaintiffs in the above-captioned action. I submit this declaration in further support of Plaintiffs' Memorandum of Law in Opposition to Defendant City of New York's Motion for Summary Judgment on Plaintiffs' Claim for Declaratory and Injunctive Relief, and in reply to the Declaration of Steven J. Rappaport In Support of Defendant City's Motion for Partial Summary Judgment, dated December 23, 2010 ("Rappaport Declaration").

2. In meetings before the instant case was filed, counsel for Defendants New York City Housing Authority and the City of New York informed

Plaintiffs' counsel that the New York Police Department was looking into the issue of longstanding pattern and practice of unlawful trespass arrests. Contrary to Mr. Rappaport's assertion, *see* Rappaport Decl. at ¶ 11, however, no information was shared regarding the Safety and Security Task Force.

3. NYCHA also refers, as the City has, to the January 30, 2010, letter from Citywide Council of Presidents Chairman Reginald Bowman to Plaintiffs' counsel. *See* Rappaport Decl. at ¶ 13. Not only was this letter sent without the permission of CCOP members and never adopted or ratified by CCOP, counsel for Plaintiffs spoke to Mr. Bowman on January 29, 2010, before receiving the described letter. Based on that conversation, it was undersigned counsel's understanding that the invitation to Plaintiffs to "participate in the process" was contingent on Plaintiffs not pursuing this lawsuit.

Executed on January 26, 2011.

/s/ Johanna B. Steinberg
Johanna B. Steinberg